TRAFFIC ORDINANCE

No. 1196

AS AMENDED BY

ORDINANCE No. 1203

Lincoln, Neb. -
Ordinances

CITY OF LINCOLN, NEBRASKA
Theo. H. Berg, *City Clerk*

914.862
1914

Ordinance No. 1196 as amended

AN ORDINANCE, regulating the use of the streets of the City of Lincoln, Nebraska, for travel by pedestrians, street cars and all kinds of vehicles, including all classes of motor vehicles, and repealing Ordinances No. 517 and 1036, and all other ordinances and parts of ordinances in conflict herewith.

Be it Ordained by the City Council of the City of Lincoln, Nebraska:

Section 1. The owner, operators, drivers, or person in charge of any car or dray wagon, hackney coach, omnibus, automobile, taxicab, carriage, buggy, motorcycle, tricycle, bicycle, or other vehicle used, propelled or driven upon the streets of Lincoln shall conform to and observe the following rules and regulations upon all such streets, alleys, avenues, boulevards, parks, roads and public places in said city.

Sec. 2. The word "vehicle" includes equestrians, led horses and everything on wheels or runners, except street cars and baby carriages.

Sec. 3. The term "motor vehicle" shall include all vehicles propelled by any power other than muscular power, excepting, however, traction engines, road rollers and any vehicle which runs only on rails or tracks.

Sec. 4. The term "motor cycle" shall include the motor vehicles designed to travel on not more than three wheels in contact with the ground.

Sec. 5. "Chauffeur" shall mean any person who operates a motor vehicle and who directly or indirectly receives pay or any compensation whatsoever for such operation or for any work or service in connection with motor vehicles, excepting only manufacturers, agents, proprietors of garages and dealers who do not operate for hire. Provided, however, that an employee of a manufacturer or of a dealer whose principle occupation is that of a salesman shall be exempted from this definition.

Sec. 6. The word "horses" includes all domestic animals.

Sec. 7. The word "driver" includes the rider or driver of a horse, the rider of wheels and the operator of a vehicle, motorcycle or street car.

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Sec. 8. The term "roadway" shall include streets, highways, alleys, lanes, avenues, ways, roads, all and singular, established in the manner prescribed by the statute of this state, dedicated to the public as per recorded plat or plats, or ordinances of this city, as well as any thoroughfare created by users, or common law dedication or otherwise.

Sec. 9. The term "right-of-way" shall mean a preferential but not exclusive, right to occupy or move upon, along or across any roadway, or any place or point therein.

Sec. 10. The term "congested district" as used in this ordinance shall include that portion of the City of Lincoln that lies within the following bounds, to-wit: The west side of 8th street from the south side of N street to the north side of P street; the north side of P street from 8th street to the east side of 16th street; 16th street from P street to the south side of N street, and N from 16th street to the west side of 8th street.

Sec. 11. Pedestrians crossing any street at the intersection thereof, with another street within the congested district, shall pass over such portion of the street as is included within the lines of the sidewalk projected and not diagonally. (Provided, however, this section shall not in any manner affect the rights or liabilities of parties to any civil suit.)

Sec. 12.—It shall be unlawful for any person riding any bicycle or other vehicle, to hold on to any street car or other vehicle of any kind in motion.

Sec. 13. It shall be unlawful for any person, firm or corporation to place, permit to stand, transport, haul, drive, propel, convey or otherwise move any vehicle except street cars or cars running on their own rails or tracks, upon, along or across any roadway within the corporate limits of the city, contrary to or in violation of the following rules:

Rule 1. All stationary vehicles, idle or discharging freight or passengers, must occupy as little of the roadway as possible, have both side wheels or runners as near the curb as practicable, and stand not nearer than ten feet to any street crossing or street corner.

Rule 2. All vehicles in motion, must move upon

and along the right side or half of the roadway. Slowly moving, large or heavily loaded vehicles must move as near to the curb as possible; rapidly moving, smaller or lighter vehicles must occupy the space lying immediately next to and parallel with the middle of the roadway.

Rule 3. Any vehicle passing another going in the same direction, must pass on the left side of the vehicle overtaken. In case of emergency, the overtaking vehicle may pass on the right side of the vehicle overtaken. If the overtaking vehicle carries an audible signal it must emit one short distinct sound just before passing to the left, and two short distinct sounds in quick succession just before passing to the right of the vehicle overtaken.

Rule 4. Vehicles moving in opposite directions must pass each other by keeping to the right, each giving to the other an equal portion of the roadway. PROVIDED, no heavily loaded, large or difficult to control, or disabled vehicle, shall be required to so divide the roadway.

Rule 5. Vehicles, when turning to the right into another street or roadway, must turn the corner as near to the curb as possible. Vehicles carrying an audible signal must emit two short distinct sounds in quick and regular succession, a reasonable distance in advance of the first street crossing, before making such turn.

Rule 6. Vehicles turning to the left into another street or roadway must turn the corner so as to keep between the curbs to the right of such vehicles and the center of the intersection of the two streets or roadways.

Rule 7. Vehicles approaching depots, theatres, churches, or any other public buildings, premises, or crowded spaces, must do so in an especially cautious manner and always by way of the right side of the street or roadway.

Rule 8. No two or more vehicles shall stand or drive abreast, except when passing each other.

Rule 9. The right-of-way must always be conceded to vehicles in the following order.

1st. United States mail wagons or vans, funeral processions, and ambulances, responding to an emergency call; fire department, responding to an alarm; disabled vehicles, vehicles heavily

loaded or that must for any reason move slowly or cautiously.

2nd. Vehicles moving upon or along O street between Seventh and Twenty-seventh streets; N street between Eighth and Nineteenth streets; P street between Seventh and Fourteenth streets.

3rd. All streets or roadways running in a north and south direction.

Rule 10. In the congested district no vehicle shall turn or cross from one side of the street to the other in the middle of the block, but must proceed to the intersection and turn.

Section 14. It shall be unlawful for any person to operate a motor vehicle on any public highway within the City of Lincoln, Nebraska, at a rate of speed greater than is reasonable and proper having regard for the traffic and use of the road and the condition of the road, or at a rate of speed such as to endanger the life or limbs of any person, or at a rate of speed greater than twelve miles an hour, and when approaching a crossing or intersecting public highway or a bridge, or a sharp curve, or a steep descent, and also when traversing such crossings, bridges, curves, or descents, the person operating a motor vehicle shall have it under control and shall not operate it at a rate of speed exceeding six (6) miles per hour; provided that the speed limits in this section shall not apply to physicians or surgeons, or police or fire vehicles, or ambulances when answering emergency calls demanding excessive speed.

Sec. 15. Every motor vehicle while in use upon the public highway within said city shall be provided with good and sufficient brakes and be so constructed as to exhibit, during the period from one hour after sun-set to one hour before sunrise, two or more lamps showing white lights only, visible within a reasonable distance toward which such a vehicle is proceeding and also one or more red lights on rear of car, visible in the reverse direction. Provided, that motor cycles shall be required to display only one white light, visible from in front and one red light, visible from the rear.

Sec. 16. Every motor vehicle operated upon the public streets and alleys of the City of Lincoln, Nebraska, must be provided with a muffler to deaden the sound of the escape of exhaust gas.

At no time shall it be lawful to operate any motor vehicle with the exhaust open or in any other way make noises unusual in normal operation of such vehicle. Provided, however, that nothing in this section shall apply to motor vehicles used in connection with the fire department or police department of said City while in use in the business of such department.

Sec. 17. Motor vehicles and motor cycles while being used upon the streets, alleys or public places of the City of Lincoln, Nebraska, shall be provided, with a bell, horn, or other suitable signal device, except siren, and it shall be unlawful for any person to operate any motor vehicle, motor cycle, bicycle or other vehicle, upon the streets, alleys or public highways of said city, using the siren, such siren to be used exclusively by the fire department of said city. It shall be unlawful for any person to use any device which will not produce an abrupt sound sufficiently loud to give an adequate warning of danger, and it shall be unlawful for any person operating any motor vehicle, motor cycle, bicycle, or other vehicle, to make or cause to be made any unnecessary noise with any such bell, horn, or other signal device, or to use the same except as a warning of danger. Each motor vehicle and motor cycle shall have on it arabic figures, not less than four inches high and each stroke thereof not less than one-half inch wide, the number assigned to such vehicle by the secretary of state of the State of Nebraska, and such numbers shall be white on a black background and in plain sight on the front and back of such vehicle, and it shall be unlawful for any person to use any other number than the number issued to him by the secretary of state, of the State of Nebraska, corresponding to the registration number assigned by said secretary of state and registered in the name of such person, and any person transferring the ownership of any number so issued by the secretary of state of the State of Nebraska, shall at once report to the city clerk of said city, such transfer, giving the name of the person or persons to whom transferred, provided, however, where such change of ownership has been registered in the office of the secretary of state, then, it shall not be necessary to report the same to said city clerk.

Sec. 18. It shall be unlawful for any person operating a motor-cycle to carry another person on said machine in front of the operator.

Sec. 19. It shall be unlawful for any person under the age of seventeen (17) years to operate, drive or propel an automobile, or other motor vehicle,upon any public highway within the corporate limits of the City of Lincoln. Provided, however, that the minmum ages of drivers of electrically propelled vehicles shall be sixteen (16) years.

Sec. 20. It shall be unlawful for the owner of any motor vehicle described in Section 15 hereof, to cause, allow or permit any person under the age limit in Section 19 to operate, drive or propel such motor vehicle on any public highway within the corporate limits of the City of Lincoln.

Sec. 21. It shall be unlawful for any person to operate, drive or propel any automobile or other motor vehicle of any kind whatsoever, belonging to and owned by any other person, upon any public highway within the corporate limits of the City of Lincoln without having first obtained the consent of the owner thereof.

Sec. 22 Any chauffeur operating a motor vehicle of any kind as defined by the statutes of the State of Nebraska, upon the streets, highways, or other public places in the City of Lincoln, Nebraska, shall be required to apply for and procure from the city clerk of the City of Lincoln, Nebraska, a license so to do. Said application shall be in writing, stating the name and residence of the applicant, and be signed by the applicant, and said applicant shall be required to pay a license fee of One Dollar ($1.00) therefore. The city clerk shall, upon payment of said fee, issue a license to said applicant, which license so issued shall expire on the thirty-first day of May next succeeding its issuance. Said license shall contain a blank line for the signature of the applicant, which shall be signed by the applicant in the presence of the city clerk. The police judge of the City of Lincoln, Nebraska, may revoke the license of any chauffeur for any part or all of the unexpired term thereof, upon the conviction of said chauffeur for the violation of any of the provisions of this ordinance or ordinances of the City of Lincoln, or statutes of the State of Nebraska, relating to the operation

of motor vehicles. The license shall contain the condition that upon the conviction for the violation of any of the provisions of this ordinance by the licensee, or the ordinances of the City of Lincoln or statutes of the State of Nebraska, relating to the operation of motor vehicles, said license may be revoked by the police judge for any part or all of the unexpired term of said license. The chief of police of said city, upon the revocation of any license by the police judge for any part or all of the unexpired term of such license, shall notify the city clerk of the same being so revoked, and no license shall again be issued to such chauffeur whose license has been revoked for the full unexpired term thereof by said police judge except upon the written approval signed by the chief of police and filed with the city clerk, at the time of the application therefor. Upon receipt of the notice from the chief of police, the city clerk shall enter upon the records hereinafter provided for after the name of the party to whom a license had previously been issued, the fact of such revocation. The city clerk shall issue to all chauffeurs paying said license fee, a metal badge marked with serial numbers and bearing the words "Registered Chauffuer No.—, City of Lincoln," and for which badge the said chauffeur shall pay One Dollar ($1.00) in addition to the license fee hereinbefore provided, which sum so collected shall be credited to the general fund. After the badge is once issued, it may be used by the same chauffeur on all succeeding years when a license is duly issued as required by the provisions of this ordinance and not revoked as herein provided. The city clerk shall keep a record of all licenses and badges issued, upon which record the clerk shall enter the name of the chauffeur, his residence, number of license and badge, date issued, date of expiration, and if revoked, date of revocation. It shall be unlawful for any person to wear a registered badge issued to such chauffeur by said clerk, without first having procured a license as herein provided, or to wear the same during the time such license shall be revoked, or to transfer such license or badge to any other person.

Sec. 23. No chauffeur shall operate a motor vehicle within the limits of the City of Lincoln

without first having obtained a license as herein provided for.

Sec. 24 No person shall employ for hire as a chauffeur of a motor vehicle any person not licensed as in this ordinance provided.

Sec. 25. In case of accident or injury to person or property on the public highways due to the operation thereon of any vehicle the person operating, driving or otherwise in control of the same shall stop, and upon request of the person injured or whose property has suffered injury, or any other person present, shall give such person his name and address and registration number of his vehicle if it be a motor vehicle, and if such person operating, driving or otherwise in control of such vehicle is not the owner thereof his license number, if he is a chauffeur, and the name and address of the owner of such vehicle.

Secv. 26. All motor vehicles must be provided at all times with adequate brakes, kept in good working order.

Sec. 27. No intoxicated person shall operate or drive a motor or other vehicle upon any public highway within the city.

Sec. 28 No person operating a motor vehicle shall permit the motor or motors of same to operate in such a manner as to visibly emit an unduly great amount of steam, smoke or products of combustion from exhaust pipes or openings.

Sec. 29 The violation of any of the provisions in Sections 14 to 28, both inclusive, of this ordinance, shall be punishable by a fine not to exceed twenty-five dollars ($25.00) for the first offense and not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) for the second or subsequent offense, the offender in each case to stand committed to the city jail until such fine and costs are paid.

Sec. 30 Nothing in this ordinance shall be construed or pleaded as justifying, absolving or rendering blameless, either directly or indirectly, any person in charge of or owning any vehicle, for any hurt or damage to person or property due to recklessness, incompetency or negligence.

Sec. 31. It shall be the duty of the members of the police department to enforce the provisions of this ordinance and to see that the rules herein prescribed are strictly and impartially enforced and to that end, every person driving or operating or propelling any vehicle or street car shall stop the same immediately upon the request or upon the signal from a police officer, such signal to be given by the officer raising his hand or club, or blowing his whistle.

Sec. 32. For the purpose of securing uniform signals, the following code is recommended for the use of the drivers and operators of all vehicles.

1. Upon approaching an intersection of two streets and desiring to turn to the right, the driver or operator should sound the audible signal if the vehicle is so equipped, and hold his right hand out to the right.

2. Upon approaching an intersection of two streets, and desiring to turn to the left the driver or operator should sound the audible signal, if one is carried and hold the left hand out to the left.

3. If the driver or operator desires to stop, he should sound such audible signal as is carried and hold his right hand up.

Sec. 33. Any person violating any provision of this ordinance for which a penalty has not been hereinbefore provided for, shall be punished by a fine of not less than five dollars ($5.00) nor more than one hundred dollars ($100.00) and shall stand committed until such fine and costs are paid.

Sec. 34. That Ordinances numbered 517 and 1036, and all other ordinances and parts of ordinances in conflict herewith be, and the same hereby are repealed.

Sec. 35 This ordinance shall take effect and be in force from and after its passage and publication according to law.

Ordinance No. 1196, passed October 20, 1913.

Amendment, (Ordinance No. 1203) passed November 24, 1913.

In force April 1, 1914.

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